

STEERING, LEGISLATIVE & GOVERNMENTAL COMMITTEE

June 24, 2010

5:30 p.m.

Courthouse

MINUTES:

MEMBERS PRESENT:

Commissioner Jack Black
Commissioner Adam Coggin
Commissioner Gary Farley
Commissioner Jeff Jordan
Commissioner Jeff Phillips
Commissioner Steve Sandlin
Commissioner John Rodgers, C

OTHERS PRESENT:

Ernest Burgess
Ronald Williams
Dana Garrett
Mike Nunley
Jeremy Cawthon
Mike Sparks
Frankie Johnson
Becky Shelton

Chairman Rodgers presided and called the meeting to order at 5:31 p.m. with all members being present at that time.

MINUTES:

"Commissioner Coggin moved, seconded by Commissioner J. Jordan, to approve the minutes of the last meeting as mailed. This motion passed unanimously by acclamation."

FILL TWO VACANCIES ON COMMUNITY CARE BOARD:

Chairman Rodgers advised applications had been received from Frankie Johnson and Mike Nunley for appointment to the Community Care Board. Additionally, the Chairman of the Community Care Board had sent a letter of recommendation for Ms. Johnson and Mr. Nunley. Ms. Johnson and Mr. Nunley were in attendance and addressed the Committee. Following discussion,

"Commissioner Black moved, seconded by Commissioner Farley, to recommend appointment of Frankie Johnson and Mike Nunley to the Community Care Board. This motion passed unanimously by acclamation."

FILL SIX VACANCIES ON BOARD OF HEALTH:

Chairman Rodgers advised applications had been received from Tammy Adams, M.D., James Garner, M.D., Ronald Wright, D.D.S., Chad Mills, Pharmacist, Judy Campbell, R.N., and John Key, D.V.M. for appointment to the Board of Health. No applicant was in attendance to address the Committee but Ms. Dana Garrett, Director of the local Health Department advised she was representing all applicants. Following discussion,

"Commissioner Sandlin moved, seconded by Commissioner Black, to recommend appointment of Tammy Adams, M.D., James Garner, M.D., Ronald Wright, D.D.S., Chad Mills, Pharmacist, Judy Campbell, R.N., and John Key, D.V.M. to the Board of Health. This motion passed unanimously by acclamation."

ANNOUNCE TWO VACANCIES ON CODES ENFORCEMENT ADJUSTMENTS & APPEALS BOARD:

Chairman Rodgers advised the positions of Robert Dean Warren and Joe Meshotto on the Codes Enforcement Adjustments & Appeals Board were expiring and accordingly being announced.

ANTI-LITTER RESOLUTION:

The Committee was provided at the prior meeting a copy of

the proposed Anti-Litter Resolution. Commissioner Farley advised the Codes Department needs more teeth in Resolutions to be able to take action. The Committee was advised although there is a \$50 per instance per day fine, a jury would have to determine any fine over \$50 but the Resolution does contain a compensatory election if the County cleans up an area it can place a lien against the property. The Resolution does not just apply to subdivisions but to the County as a whole excluding the City of Murfreesboro. The Resolution can be enforced in Smyrna, LaVergne and Eagleville if said municipalities enter into an agreement with the County Mayor.

Jeremy Cawthon of the County Attorney's Office reviewed the proposed Resolution by section advising while littering is a criminal offense the Resolution inhibits activity in the County that is not criminal such as the circulars in driveways. The Committee discussed changing three days to ten days in Section 22 to be consistent with the Tall Weeds & Grass Ordinance. Following discussion,

"Commissioner Phillips moved, seconded by Commissioner Farley, to recommend adoption of the Anti-Litter Resolution at the August Commission and changing Section 22 from three days to ten days. This motion passed unanimously by acclamation."

RELIGIOUS INSTITUTIONS IN R15 ZONING:

Commissioner Sparks next presented a proposed Resolution requesting review of the Zoning Ordinance which allows homes, farms and religious institutions in R-15 with only approval of a site plan and requires no public hearings. Chairman Rodgers advised the mosque issue may have exposed a weakness in the planning process. A religious institution can be an intense commercial use judged by the same standard as a house and this does not seem fair and religious institutions as a whole should be pulled out of residential and judged as commercial. Commissioner Sparks advised the Resolution brings the County up to date and when dealing with concerns of this magnitude the appropriate body needs to address and study the same. Commissioner J. Jordan also suggested considering putting in meeting announcements information on what is to be discussed. Commissioner Sandlin questioned if there would be a square footage minimum because you have to approve or disapprove by zoning regulations as there are some churches that have started small and gotten much larger. Chairman Rodgers advised he thought this matter deserved study during the current Planning Ordinance review. Mayor Burgess advised this matter could go ahead and be addressed.

Commissioner Phillips suggested the matter be forwarded to the County Attorney to see if there is any conflict with any laws in the Land Use Regulations for religious purposes and State laws and use by right law and if a change can be made without violating laws then ask the Planning Commission to study making the change in the Ordinance to remove religious organizations from the right to use in R-15. Commissioner Phillips advised he wanted to make sure what is put in the Ordinance meets neighborhood needs to be conducive to the neighborhoods. Following discussion,

"Commissioner Farley moved, seconded by Commissioner Black, to forward a Resolution to the Legal Department for advice on wording with a report back and then asking the Planning Commission to study the issue with a report back to the Commission on changing the use by right section. This motion passed unanimously by acclamation."

There appearing to be no further business to come before the Committee, Chairman Rodgers declared the meeting adjourned at 7:10 p.m.

JOHN RODGERS, Chairman